

Appln. No. 09/639,001
Amendment dated September 13, 2005
Reply to Office Action of June 13, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The June 13, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled, amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

PRIOR ART REJECTIONS

In the Office Action claims 12 and 13 are rejected under 35 USC 103 as being unpatentable over USP 5,130,813 (Oie et al.). Claims 15 and 17 are rejected under 35 USC 103 as unpatentable over Oie et al. in view of USP 6,020,982 (Yamauchi et al.).

In response, claim 13 is cancelled, claim 12 is amended to include limitations from claim 13 and to include additional limitations to more clearly define the present claimed invention over the cited reference, and new claims 21-24 are added.

The present claimed invention as defined by amended claim 12 is directed to an electronic image pickup apparatus which includes:

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a housing (10) having a flat upper surface area, which houses a finder unit (26), an electronic image pickup unit (28) and an image display device (18), and which is provided with an image display device operating member (14c) which is used to operate the image display device (18) on an outer surface thereof, wherein:

an image display screen (18a) of the image display device (18) is disposed at a rear surface area of the outer surface of the housing (10),

an eyepiece window (14b) of the finder unit (26) is located at a left side on the rear surface area of the outer surface of the housing in a vicinity of an upper end of the rear surface area,

the eyepiece window (14b) is located above the image display screen (18a) of the image display device (18) on the rear surface area,

the end portion of the housing, which is located at a right side of the image display screen (18a) on the outer surface of the housing (10), is configured to be held by the right hand of a user, and

the image display device operating member (14c) is located at the right side of the image display screen (18a) of the image display device (18) on the rear surface area such that the image display device operating member (14c) is operable by the thumb of the right hand of the user that holds the right end portion of the housing.

In rejecting claims 12, 13, 15 and 17, the Examiner relies on Oie et al. and Yamauchi et al.

In the cameras disclosed in each of the two cited references, the upper surface area of the housing is not flat. Instead, the references disclose a finder housing section which

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projects from a central portion of the upper surface area of the device.

The projecting finder housing section of the cited references increases the overall height of the camera, and impairs the smoothness of the outer surface of the housing. That is, the projecting finder housing section of the cited references impairs the portability of the camera. Having the finder disposed in the central portion of the upper surface area of the housing also increases the possibility of a user pressing his nose on the housing when looking through the eyepiece window, and impairs the convenience of the use of the camera.

Most camera users look through the eyepiece window with their right eyes. Therefore, when a user looks through the eyepiece window with this right eye, the visual field of the left eye is impaired by the housing, thereby impairing the convenience of the use of the camera. Compared to the structure of each of the two cited references, in the present claimed invention as defined by amended claim 12 the housing has a flat upper surface area, the entire height of the camera is lowered, and the outer surface of the housing is smooth. As a result, the present claimed invention as defined by amended claim 12 improves the portability of the camera.

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In the camera of amended claim 12, the eyepiece window is disposed in the vicinity of an upper end on the left side of the rear surface area of the housing, and is located above an image display screen of an image display device. By arranging the eyepiece window and the image display screen of the image display device on the rear surface area of the housing, the entire height of the camera is reduced, and the resulting camera is compact. Further, the eyepiece window disposed in the vicinity of the upper end on the left side of the rear surface area of the housing eliminates the possibility of the user pressing his nose against the housing when looking through the eyepiece window with his right eye and the visual field of the user's left eye is not impaired, thereby improving the convenience of using the camera.

None of the other references of record close the gap between the present claimed invention as defined by amended claim 12 and Oie et al. and/or Yamauchi et al. Therefore, claim 12 is patentable over all of the references of record under 35 USC 102 as well as 35 USC 103.

Claims 15 and 17 are either directly or indirectly dependent on claim 12 and are patentable over the cited references in view of their dependence on claim 12 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 12 and 15.

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NEW CLAIMS

New claims 21-24 are added to the present application. New claims 21-24 are either directly or indirectly dependent on claim 12 and are patentable over the cited references in view of their dependence on claim 12 and because the references do not disclose, teach or suggest each of the limitations set forth in new claims 21-24.

Claim 21 recites that a shutter button (12i) is located at a right side on the flat upper surface of the outer surface of the housing and an operation button (12h) for operating the pickup apparatus is located at the left side of the shutter button on the flat upper surface area.

In accordance with the invention defined by new claim 21, the flat upper surface area of the housing increases the degree of freedom in the arrangement of the shutter button and operation buttons, and the degree of freedom in the plane shape and the dimension of each of the shutter button and the operation buttons. Therefore, while the user is holding the right side end portion of the camera with his right hand, it is possible to easily operate the shutter button located on the right side of the flat upper surface area of the housing and the operation buttons located on the left side of the shutter button. While

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the user is holding the right side end portion of the camera with his right hand, even when contacting the operation buttons with his left hand, it is easy to operate the operation buttons, as there are no projections on the upper surface area to impede the user.

In each of the two cited references, the finder housing section which projects upward in a central portion of the upper surface of the housing reduces the degree of freedom in the arrangement of the shutter button and the operation buttons and the degree of freedom in the plane shape and dimension of the shutter button and the operation buttons. Therefore, while the user is holding the right side end portion of the camera with his right hand, the degree of freedom of the operation of the shutter and operation buttons is impaired by the finder housing section even if the shutter button and the operation buttons located on the right side of the finder housing section in the central portion of the upper surface area of the housing can be controlled by the user's right hand.

As indicated in Yamauchi et al., when the shutter and operation buttons are located on both sides of the finder housing section of the central portion of the upper surface, the user cannot operate the operation buttons with his right hand while holding the right side end portion of the camera with his right

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hand. Even if the operation buttons located on the left side of the finder housing in the central portion are operated by the user's left hand, the degree of freedom in operation of the shutter button and operation buttons will be impaired by the finder housing section.

Claim 22 is dependent on claim 21 and recites that a photographic information display window (50) is located at a left side of the shutter button (12i) on the flat upper surface area.

The present claimed invention as defined by new claim 22 increases the degree of freedom in the arrangement of the shutter button and photographic information display window on the upper surface area, and the degree of freedom of the area and shape of each of the shutter button and the photographic information display window. Therefore, while a user is holding the right side end portion of the camera housing with his right hand, if the operation button located on the right side of the flat upper surface area of the housing is operated by his right hand, the photographic information display window will not be hidden by the user's fingers, and operability of the camera can be improved.

In each of the two cited references, the finder housing section which projects upward in the central portion of the upper surface of the housing reduces the degree of freedom in the arrangement of the shutter button and photographic information

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display window on the upper surface area, and the degree of freedom of the plane shape and dimension of each of the shutter button and photographic information display window. Therefore, while a user is holding the right side end portion of the camera with his right hand, the degree of freedom of operation of the shutter button and operation button is impaired by the finder housing section even if the shutter button and the operation button located on the right side of the finder housing section in the central portion of the upper surface area of the housing can be controlled by the user's right hand.

As indicated in Yamauchi et al., when a shutter button and a photographic information display window are located on the right side of the finder housing section of the central portion of the upper surface area, while a user is holding the right side end portion of the camera with his right hand, if the operation button located on the right side of the flat upper surface area of the housing is operated by the user's right hand, the photographic information display window will be hidden by the user's fingers, and operability of the camera will be lowered. This tendency becomes stronger as the housing of the camera becomes more compact in size.

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New claim 23, which is dependent on claim 12, recites that the eyepiece window (14b) is located at a left side of the image display screen (18a) on the rear surface area.

In the present claimed invention as defined by new claim 23, the various technical advantages as described above which result from the structure of amended claim 12 are increased.

New claim 24 is dependent on claim 12 and recites that the housing has a battery storage space which stores a battery, and a battery opening, through which the battery is inserted and removed from the battery storage space at a right side on a bottom surface area of the outer surface of the housing, and a battery cap is attached to the battery opening such that the battery cap is rotatable between a closed position at which the battery cap closes the battery opening, and an open position in which the battery cap is rotated downward from the battery opening to allow insertion and removal of the battery to and from the battery storage space.

In the present claimed invention as defined by new claim 24, the outer surface of the housing of the camera is used more effectively, and it is possible to make the housing compact in size. That is, the front surface area of the outer surface of the housing is adequately used to dispose thereon the lens, finder objective window, flash window, etc., which should be

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located on the front surface area. The rear surface area of the outer surface is adequately used to dispose thereon the eyepiece window, image display screen and image display apparatus operation member of the image display device, etc., which should be located on the rear surface area. The upper surface area of the outer surface is adequately used to dispose thereon the shutter button, various operations buttons, etc., which should be located on the upper surface area. The side surface area of the outer surface is adequately used to dispose thereon the connection terminals, etc., which must be located on the side surface area. In the lower surface area of the outer surface, an opening for a battery storage space and an opening/closing cap for the opening can be disposed, which are less frequently used.

In view of all of the foregoing, new claims 21-24 are patentable over the references of record under 35 USC 102 as well as 35 USC 103.

It is respectfully submitted that no additional fees are due for the presentation of claims 21-24. If, however, any additional fees are due, please charge our Deposit Account No. 06-1378 for such sum.

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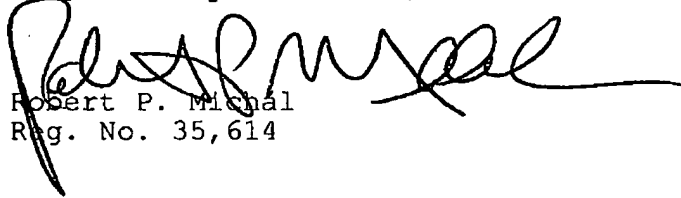
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If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of this Amendment, allowance of the claims, and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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